IN RE: PETITION FOR ADMIN. VARIANCE
E/S Hydroplane Drive, 335.6'N
of the c/l of Cord Street
(31 Hydroplane Drive)
15th Election District
5th Councilmanic District

Floyd W. Warnick, et ux Petitioners \* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* Case No. 97-195-A

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\* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 31 Hydroplane Drive, located in the vicinity of Fuselage Road in Victory Villa. The Petition was filed by the owners of the property, Floyd W. and Janis I. Warnick. The Petitioners seek relief from Sections 1802.3 (1990), 211.3 (1955), and 301.1 (1955) to permit a side yard setback of 3 feet in lieu of the minimum required 6 feet for a proposed open projection (carport). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property has been duly posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with

the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25 day of November, 1996 that the Petition for Administrative Variance seeking relief from Sections 1802.3 (1990), 211.3 (1955), and 301.1 (1955) to permit a side yard setback of 3 feet in lieu of the minimum required 6 feet for a proposed open projection (carport), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

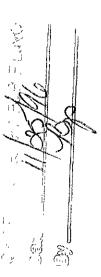
1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TIMOTHY M. KÓTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs





Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

November 25, 1996

Mr. & Mrs. Floyd W. Warnick 31 Hydroplane Drive Baltimore, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE

E/S Hydroplane Drive, 335.6'N of the c/l of Cord Street

(31 Hydroplane Drive)

15th Election District - 5th Councilmanic District

Floyd W. Warnick, et ux - Petitioners

Case No. 97-195-A

Dear Mr. & Mrs. Warnick:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

hunthy 16 treves

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: People's Counsel

File

had the comment



# Petition for Administrative Variance

# to the Zoning Commissioner of Baltimore County

for the property located at 3/ MIDROPIANE DRIVE 21220 which is presently zoned DB55

	This Petition shall be filed with the Office of Zoning Administration & Development Management.
	The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat ettached
	hereto and made a part hereof, hereby petition for a Variance from Section(s) 170 0 3 (1940) NV 5 311 (2/1953) /1
-	hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3 (1940) AND 3211.3(1953) A.  301 1 (1955) TO ALLOW AN OPEN PROPERTION ASIDE
٠.	DOVI ( Lease 10 Letters 11 Letters 12 LDG
	YORD SETBACK OF 3\$ IN LIEU OF the REQUIRED
	July Schlade

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See back

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

aty	State	Zipcode	Address Phone No	<del></del>
ddress	Phone	No	Name	<b>-</b> -
gna.ure		——————————————————————————————————————	City State Zipc Name, Address and phone number of representative to be contacted	ode
			Stelle The Se	
ype or Print Name)			Address Phone No	urk be
torney for Petitioner			A Six MA Way of Six	7 23
lty	State	Zipcode	Signature Signature	
ddress	<del></del>		(Type or Print Name)	' '
-			SBUIS E. HURNIN	1.
gnature			Signature Led Coloredo	- <u>-</u> -
ype or Print Name)		<del></del>	(Type of Print Name)	
Contract Purchaser/Lessee			Legal Owner(s)	
2			legal owner(s) of the property which is the subject of this Petition	

DATE:

Printed with Soybean Ink on Recycled Paper

Loning Commissioner of Baltimare County

REVIEWED BY

# Affidavit

# in support of Administrative Variance

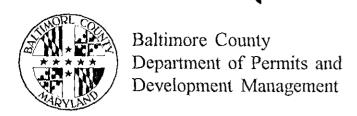
97-195-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Attiant(s) and that Attiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at 31 HYFOROPIANE DRIVE
address Md 21220
State Zip Code
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)
@ practical difficulti, MR WARNICK RECENTER
had cervical Fusion Surgered. He will be in a neer
BEARE for 4 months. WITH the BAD Weather appearsh
he close int need to fall and cause more Damage
(2) My mom 15 A post polio victim which cause her to
have one leg shorter and weaker than the other.
This would be a convience to get to her car
lengthended. She Doesn't Need to Insure herself.
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and
may be required to provide additional information.
(algnature) (algnature) (algnature)
Flogo W WARNICK JUNIS WARNICK
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
THEREBY CERTIFY, this 21 day of October, 1996, before me, a Notary Public of the State
of Maryland, in and for the County aforesaid, personally appeared
Janis Warnick
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal.
date 10/21/900 NOTARY PUBLIC NOTARY PUBLIC
My Commission Expires: 3/1/00
, ,

77-195-A31 HYDROPLANE DRIVE BALTIMORE 21220

BEGINNING AT A POINT ON THESIDE OF
HYDROPLANE DRIVE WHICH IS
WIDE AT THE DISTANCE OF 3 10 10 10 OF THE
CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET CORD ST
WHICH IS $(SO(R))(1)$ WIDE. *BEING LOT # 153,
BLOCK , SECTION #2 IN THE SUBDIVISION OF VICTORY VILLA
AS RECORDED IN BALTIMORE COUNTY PLAT BLOOK #G.L.K., FOLIO # 112,
CONTAINING . ALSO KNOWN AS 31 HYDROPLANE DRIVE
AND LOCATED IN THE 15 ELECTION DISTRICT, 5 COUNCILMANIC DISTRICT.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

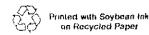
Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 195
Petitioner: WARNICK
Location: 31 Hadesplane Ase
PLEASE FORWARD ADVERTISING BILL TO:
NAME: JANIS L WURNICK
ADDRESS: 31 AUDROPIANE DRIVE
BA140 Md 21220
PHONE NUMBER: 391-2090.
AJ:ggs
(Revised 09/24/96)



# CERTIFICATE OPPOSTING

	RE: Case No.: 77-773-74
	Petitioner/Developer:
	JAMIS WARNICK
	Date of Hunring/Closing: Nov. 18, 1996
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	>
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
were posted conspicuously on the propert	of perjury that the necessary sign(s) required by law y located at 31 Hyplo Plant Maryland 21220
The sign(s) were posted on	Nov 2, 1996 (Month, Day, Year)
	Sincerely,
	(Signature of Sign Poster and Date)
ZONING NOTICE VARIANCE  CASE # 972/26-9  TO Alberton of Color Delancing about 1000  ACC State # 0.22 Acc Acc Acc Acc Acc Acc Acc Acc Acc A	(Printed Name)  (Printed Name)  325 Nicholson Loso  (Address)  (Address)  (City, State, Zip Code)
Cook of the Edward of the Cook	(410) 687-8405 (Telephone Number)

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 3 No 190

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE
ADMINISTRATIVE VARIANCE
Case No.: 97-195-A
To Allow AN open projection A
SiDe yard sethant of 3' in lieu of
the Aegriced Co

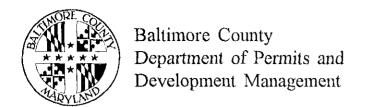
# **PUBLIC HEARING?**

PURSUANT TO SECTION 26-127(b) (1), <u>BALTIMORE COUNTY CODE</u>, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

October 31, 1996

#### ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-195-A (Item 195)
31 Hydroplane Drive
E/S Hydroplane Drive, 335',6" N of c/l Cord Street
15th Election District - 5th Councilmanic
Legal Owner(s): Floyd W. Warnick and Janis L. Warnick
Post by Date: 11/03/96
Closing Date: 11/18/96

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

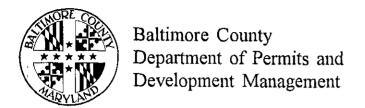
DATE. PROCESS IS NOT UNDERSTAND ON CLOSING PLEASE THAT THE ORDERS REVIEW. ARE NOT COMPLETE. THE FILE MUST GO THROUGH FINAL FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon

Director

cc: Floyd and Janis Warnick





Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

November 19, 1996

Mr. and Mrs. Floyd Warnick 31 Hydroplane Drive Baltimore, MD 21220

RE: Item No.: 195

Case No.: 97-195-A

Petitioner: Floyd Warnick, et ux

Dear Mr. and Mrs. Warnick:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 25, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

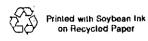
Sincerely

W. Carl Richards, Jr.

Zoning Supervisor

WCR/re
Attachment(s)







David L. Winstead Secretary Parker F. Williams Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County // 1.96 Item No. /95 (CAM)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

10

A. J. Bull.
Ronald Burns, Chief

Engineering Access Permits

Division

BS/es

DITEMPED.

My telephone number is \_\_\_\_\_

## BALTIMORE COUNTY, MARYLAND

## DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

#### INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE: 1/20.1.96

FROM:

R. Bruce Seeley

Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee Meeting Date: 1996

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

183 190

RBS:sp

BRUCE2/DEPRM/TXTSBP

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

DATE:

November 4, 1996

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 177, 183, 184, 186, 189, 190, 191, 192, 194, and 195

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Dayl Cens

Prepared by:

Division Chief:

PK/JL

ALESANDER

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: November 14, 1996

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for November 12, 1996

Item Nos. 183, 186, 189, 190, 191, 192 and (195)

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

### Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 11/14/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF NOV. 04, 1996.

Item No.: SEE BELOW

Zoning Agenda:

#### Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 183, 184, 186, 189, 190, 191, 194 AND 195.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink on Recycled Paper

MIRE WED,

# PETITION PROBLEMS

# #188 --- MJK

1. Petition is for variance; receipt says special exception for \$250.

## #189 --- MJK

1. Notary section is incomplete.

## #191 --- JLL

- 1. No item number on petition form.
- 2. Notary section invalid (no notary seal).

## #192 --- CAM

1. No review information on petition form.

# #195 --- CAM

1. Notary section is incomplete.

MICROFILMED

OCTOBER 14,1996

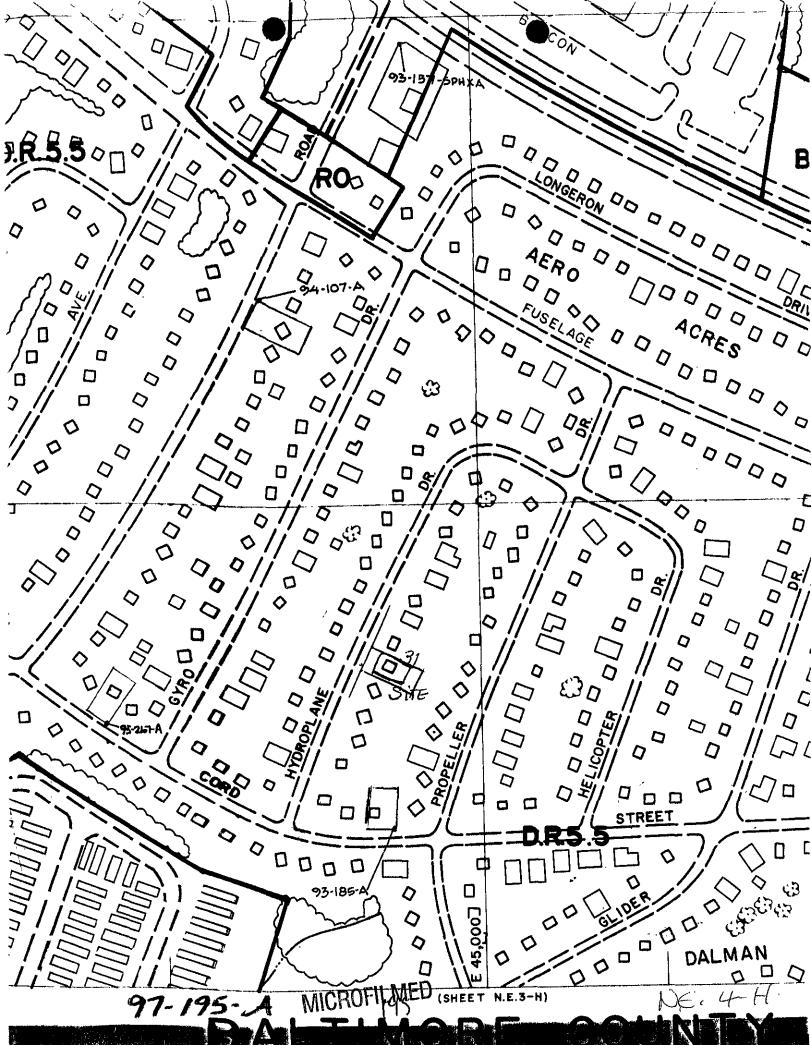
CHRISTINE A. RIPLEY 33 HYDROPLANE DRIVE BALTIMORE, MD. 21220 410-682-8652

#### TO WHOM IT MAY CONCERN.

THIS LETTER IS TO INFORM YOU THAT I DO NOT HAVE A PROBLEM WITH MY NEIGHBORS AT 31 HYDROPLANE DRIVE PUTTING UP A CARPORT. ANY FURTHER QUESTIONS PLEASE DON'T HESITATE TO CALL ME AT HOME AFTER 6PM.

SIGNATURE

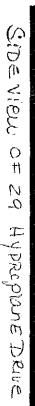
DATE

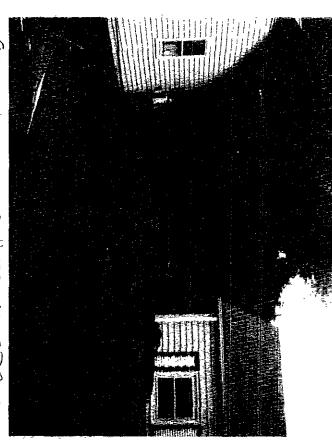


Special Hearing See pages 5 & 6 of the CHECKLIST for additional required information CORD LOCATION INFORMATION Zoning Office USE ONLY! 65403 square feet CASE#: SEWER: WATER: \[ \sum\_ 1'=200' scale map#: WE L Chesapeake Bay Critical Area: scale: 1'=1000' Vicinity Map Prior Zoning Hearings:  $N_{
m O}$ Councilmanic District: Election District: 15 Lot size: 25 Zoning: reviewed by: Plat to accompany Petition for Zoning X Variance PROPERTY ADDRESS: 31 HUDROPLATE DRIVE See pages 5 & 6 of the CHECKLI Subdivision name: VICTORY VIIVA CORU St. NOTA 97-195-4 Scale of Drawing: 1'=\_ HYBROPLANE DRWE R/W Gressing. plat book# 22, tolio# 113, lot# 153, section# 101 N4 53"7" date: 10-96 prepared by: Charles Lydters OWNER: North

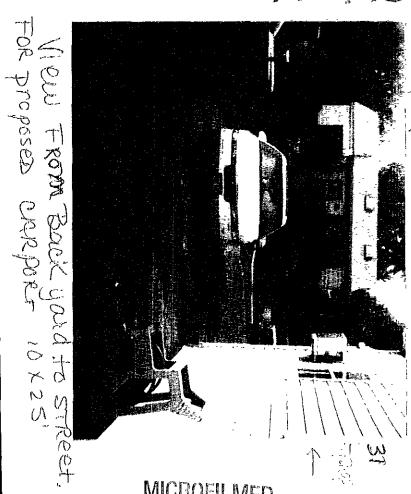
Or shydropions TROM SURGO 33 Hypropient Devit Demin-on ULBU OF



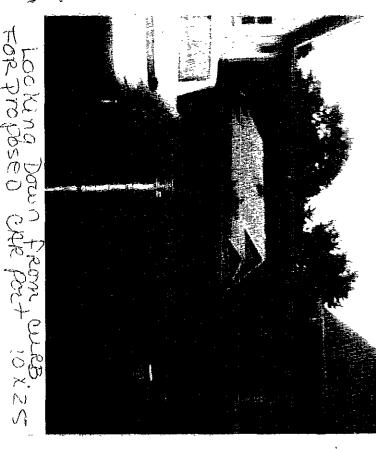




95



MICROFILMED



SUCCENCE DRIVE
BALTOND SIZED
Proposed Carped 10425 &



PREPARED BY AIR PHOTOGRAF MARTINSBURG, W.V. 25401

97-195

ZONING

MIDDLE RIVER

MICROFILMED.